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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Hinds
Examiner: Arpad Kovacs
Serial No.: 10/637,143 Art Unit 3671
Filed: 08/08/2003 (Atty. Ref. No. 16538-US)
For: AIR-ASSISTED TOPPER/SHREDDER FOR SUGAR CANE
HARVESTER

Moline, IL 61265

07 October 2004

Notice of Appeal to the Board of Patent Appeals and Interferences

The Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

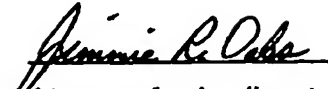
Sir:

Responsive to the Final Rejection dated 08/31/2004, applicant hereby gives notice of his appeal from the rejection of claims 1 - 3 and 6.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

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Respectfully,


Attorney for Applicant

Jimmie R. Oaks
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I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
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Date

Deere & Company
 7 October 2004
Signature Date



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For: AIR-ASSISTED TOPPER/SHREDDER FOR SUGAR CANE HARVESTER

Moline, IL 61265

6 October 2004

APPEAL BRIEF

The Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231
Sir:

Real Party in Interest

The real party in interest is Deere & Company to whom this application was assigned by the applicant per the assignment document recorded in the United States Patent and Trademark Office on 12/01/2003 at Reel/Frame: 014745/0354.

Related Appeals and Interferences

There are no related appeals or interferences.

Status of Claims

Claims 1 through 6 are currently pending in the above-identified application.

Claims 1 - 3 and 6 are rejected.

Claims 4 and 5 contain allowable subject matter.

This appeal is from the rejection of claims 1 - 3 and 6.

A copy of the appealed claims is set forth in the attached Appendix.

Status of Amendments

A first amendment, filed on 02 July 2004, and a supplement to the first amendment, filed on 10 August 2004, were entered in their entirety and were considered in the Final

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Respectfully,


Attorney for Appellants

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